

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent of Rodenburgh *et al.*

Patent No.: 6,001,296

Issued: December 14, 1999

Application No.: 08/824,943

Docket No.: 355940.00040-01

Title: *Apparatuses and methods for
controlling the fill of tooling cavities*

In the Office of Petitions

**AFFIDAVIT OF MARIE A. BARTOS
IN SUPPORT OF REQUEST FOR
RECONSIDERATION OF PETITION DECISION**

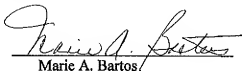
I, Marie A. Bartos, do hereby declare as follows:

1. I am an employee of Lehigh University in the Office of Technology Transfer, Entrepreneurial Research and Education, at 354 Whitaker Laboratory, 5 East Packer Avenue, Bethlehem, PA 18015-3181. My job title is "Administrative Coordinator." I have been employed in this capacity since at least June 1, 2008.
2. Lehigh University is the Assignee of the entire right, title, and interest in the above-captioned patent application, as evidenced by the Assignment recorded in United States Patent & Trademark Office ("USPTO") records at Reel 01569, Frame 0029.
3. I have personal knowledge of the Petition to Accept Unintentionally Delayed Payment of Maintenance Fee in an Expired Patent (the "Petition") that was filed in the above-captioned matter on June 10, 2008, including payment to the USPTO of \$2820.00, which payment was made by credit card.
4. I am aware that the Petition was denied on July 11, 2008. I am further aware that Lehigh University has instructed its attorneys at the law firm of Saul Ewing LLP to prepare and submit a Request for Reconsideration of the Petition decision. My purpose in making this Affidavit is to provide evidence that the required USPTO fees as provided by 37 C.F.R. § 1.20(f) and 37 C.F.R. § 1.20(i)(2) have been previously paid.
5. Attached hereto as Exhibit 1 is a redacted copy of the account statement for the aforementioned credit card, which reflects the payment of \$2820.00 to the USPTO. In order to comply with the transaction limits associated with this credit card, these monies were split into two transactions: A first transaction in the amount of \$2000 and a second transaction in the amount of \$820.

6. As noted in the Petition (a copy of which is attached hereto as Exhibit 2), these monies were intended as payment for the 8th year Maintenance Fee as provided by 37 C.F.R. § 1.20(f) in the amount of \$1,180.00 (small entity status), in addition to the surcharge for accepting a maintenance fee after expiration of a patent for unintentional non-timely payment of a maintenance fee as provided by 37 C.F.R. § 1.20(i)(2) in the amount of \$1,640.00, for a total of \$2820.00.
7. Although the Petition was denied, none of these monies have been returned to Lehigh University.
8. I acknowledge that purposefully making any materially false, fictitious, or fraudulent statement or representation may jeopardize the enforceability of the above-captioned patent pursuant to 18 U.S.C. § 1001.

I declare that to the best of my knowledge, the foregoing is true and correct.

July 28, 2008


Marie A. Bartos